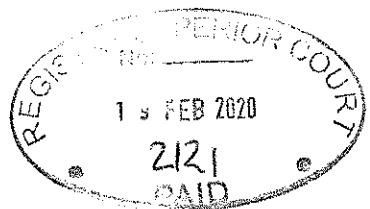


Fil-Prim' Awla tal-Qorti Civili

HSBC Bank Malta plc vs Samah Mansour et

Atti tas-Subbasta nru. 54.2019



HECTOR ZAMMIT

ARCHITECT CIVIL ENGINEER & PROPERTY CONSULTANT

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Email: hectorzammit@gmail.com

Our Ref.: Subbasta nru. 54/2019

Your Ref.:

13 ta' Frar 2020

Onorabbi Qorti

Prim' Awla tal-Qorti Civili

Law Courts, Valletta.

Atti tas-Subbasta:	Nru. 54/2019 (Qorti Civili, Prim' Awla)
Partijiet:	HSBC Bank Malta plc vs Samah Mansour et
Lokalita:	138, Triq San Albertu, Gzira.
Rigward:	Deskrizzjoni u Valutazzjoni ta' propjeta' immobblji ghal fini tas-Subbasta

1. INTRODUZZJONI

Fuq hatra u struzzjonijiet mogtija lili mill-Qorti jien hawn taht sottofirmat ikkonkludejt ix-xogħol necessarju sabiex nagħmel deskrizzjoni w valutazzjoni tal-fond indikat lili fir-rikors promutur kif ukoll nispjega kwalunkwe pizijiet, kirjet u jeddijiet ohra jekk ikun hemm.

Nirraporta li:

- Sar appuntament fil-10 ta' Dicembru 2019, permezz ta' ittra rregistrata mibghuta kemm id-debituri kif ukoll lill-bank kreditur, sabiex tiġi spezzjonata il-propjeta' msemmija fl-istess atti. Filwaqt li fil-ħin ta' l-appuntament kien hemm preżenti r-reprezentanti tal-bank kreditur, id-debituri baqghu ma fetħux il-propjeta' suġġetta għal din is-subbasta, avolja hija r-residenza tagħihom, u għalhekk, dakinhar, il-propjeta baqet ma ġietx spezzjonata minn ġewwa.
- Għalkemm saru tentattivi bit-telephone sabiex jigi iffissat appuntament iehor għal-għimha ta' wara, cieo għas- 16 ta' Dicembru 2019, dan rega thassar mid-debituri ghall-ebda raguni stante illi filwaqt li fil-ħin tat-tieni appuntament għal-darba ohra kien hemm preżenti r-reprezentanta tal-bank kreditur, id-debituri regħu ma fetħux il-propjeta' suġġetta għal din is-subbasta, u għalhekk għat-tieni darba l-propjeta regħġet ma ġietx spezzjonata minn ġewwa;
- Għalhekk ir-reprezentant tal-bank ippromettiet li se tikkonsidra tagħmel rikors sabiex isir access bil-marixxal kif fil-fatt sar. Sar ukoll rikors mis-sottofirmat sabiex jigi estiz izzmien għall-valutazzjoni li din l-Onorabbi Qorti accettat l-istess talba billi tawlet it-terminu bi tlett xħur.
- Rega sar it-tielet appuntament għal spezzjoni tal-propjeta' ghall- 4 ta' Frar 2020 din id-darba bil-prezenza tal-marixxal u l-Pulizija. Din id-darba d-debitur kien prezenti u fetah il-propjeta' mingħajr il-bzonn ta' sgass. Kien hemm preżenti wkoll għal-darba ohra r-reprezentanti tal-bank kreditur.

Subbasta 54.2019 Valutazzjoni

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2. BAZI TAL-VALUTAZZJONI

Il-valutazzjoni tal-propjeta' giet ibbazata fid-data tal-ispezzjoni u fuq definizzjoni mogtija mir-Royal Institute of Chartered Surveyors (RICS) fl-Appraisal and Valuation Manual (Practice Statement 4.2) kif ukoll minn The European Group of Valuers of Fixed Assets (TEGOVOFA).

1. A willing seller;
2. that prior to the date of valuation there has been a reasonable period (having regard to the nature of the property and the state of the market) for the proper marketing of the interest, for the agreement of price and terms and for the completion of the sale;
3. that the state of the market, level of values and other circumstances were on an earlier assumed date of exchange of contracts the same as on the date of valuation;
4. that no account is taken of any additional bid by a purchaser with a special interest;
5. that both parties to the transaction had acted knowledgeably, prudently and without compulsion.

Filwaqt li d-definizzjoni tal-prezz tas-suq hu bbausat fuq I-Appraisal and Valuation Manual (PS4.1)

"The estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arm's length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion."

3. PROPJETA' KKUNSIDRATA

- a) Fond bin-numru ufficjali mijja tmienja u tletin (138) fi Triq San Albertu Gzira ftit il-bogħod (madwar 22 metru) minn Triq D'Argens. Il-fond għandu d-dħul għaliex mill-livell terran u huwa mibni primarjament fuq zewg sulari abitabbi fit-tieni sular (*First floor*) u fit-tielet sular (*Second floor*) pero bl-arja libera tieghu. Dan il-fond huwa sovrapost ghall-propjeta ta' terzi u għandu sistema tad-dranagg in komun mieghu kif ukoll igawdi minn servitu ta' twieqi li jagħtu ghall-bithha tal-istess fond fit-terran.
- b) Dokumenti annessi: Pjanta tar-Registru tal-Artijiet bin-numru 148707E; ghazla ta' erbatax (14) il-ritratt minn barra u minn gewwa tal-post meħuda mis-sottoskrit dakħinhar tal-ispezzjoni flimkien ma sketch tal-fond b'indikazzjoni ta' minn fejn ittieħdu ir-ritratti.

c) Dettalji u deskriżzjoni tal-fond 138 Triq San Albertu, Gzira:

Tip ta' propjeta'	Fond bin-numru 138 bi dhul mill-livell terran u mibni fuq zewg sulari abitabbi fit-tieni sular (<i>First floor</i>) u fit-tielet sular (<i>Second floor</i>) bl-arja libera tieghu. Dan il-fond huwa sovrapost ghall-propjeta ta' terzi.
Aspetti dwar il-lokalita'	Il-fond jinsab vicin junction bejn zewg toroq traffiku, ciee Triq San Albertu u b'mod specjal Triq D'Argens. Iz-zona hi kkunsidrata bhala wahda residenzjali skond in-North Harbour Local Plan policy NHHO 01 u mappa GT1. Il-bini tal-madwar jikkonsisti minn diversi binijiet ta' appartamenti u djar simili izda wkoll b'diversi postijiet kummerċjali kif ukoll minn postijiet ta' natura socjali u religiuzi. Il-bini f'din l-area jistgħu jinbnew sa għoli ta' erba' sulari skond il-mappa GT2 tal-istess NHLP. Dan ifisser għoli ta' massimu ta' 22 metru meta mkejjel mill-bankina sal-ghola parti tal-opramorta tal-ghola sular. Fil-fatt, fil-vicinanzi immedjati ta' dan il-fond hemm diversi bini li għandu għoli ta' madwar sitt sulari residenzjali (ara ritratt nru. 1).
Deskriżzjoni	It-Triq hi ffurmata u asfaltata bis-servizzi mghoddija. Id-ħħul għal-dan il-fond hu minn bieb principali għaliex li jagħti access għall-intrata, tarag u spazju taht it-tarag li qed jintuza bhala study jew ufficju zghir (ara ritratti nru. 2 u 3). Tarag tal-gebel mingħajr poggaman jagħti access għas-sulari ta' fuq.

Fit-tieni sular (first floor) wiehed isib kcina zghira, b'tieqa li thares ghal fuq it-triq pubblika (ara ritratt nru. 4). Fl-istess sular wiehed isib zewg t'ikmamar tas-sodda wahda fuq quddiem b'gallarija magħha, kamra li probabli kienet salott pero issa permezz ta' gypsum board inalqet u saret kamra tas-sodda (ara ritratt nru. 5). Il-kuritur centrali (ara ritratt nru. 6), jaghti access għal kamra tas-sodda ohra b'tieqa li thares għal fuq il-bitha tas-sotterrani kif ukoll kamra tal-banju fuq in-naha ta' wara b'zewg t'itwieqi jħarsu fuq fl-istess bitha (ara ritratti nru. 7 u 8). It-tarag ikompli jgħati access għat-tielet sular (second floor). Kif spjegat qabel dan it-tarag tal-gebel m'għandux poggaman imwahħħal (ara ritratt nru. 9). It-tielet sular (second floor) għandu tqassim simili għal dak ta' taħtu cioe' kcina fuq quddiem b'tieqa għal fuq it-triq (ritratt nru. 10) u salott fuq quddiem b'tieqa fil-faccata (ritratt nru. 11). Kuritur simili għal ta' taħtu (ritratt nru. 12) jagħti access għal kamra tas-sodda ohra fuq wara b'tieqa għal fuq il-bitha ta' wara (ritratt nru. 13) kif ukoll għal kamra tal-banju ukoll fuq wara tal-post (ritratt nru. 14). Tarag tal-injam jagħti access għal fuq il-bejt.

Ma gejtx mogħti nformazzjoni dwar cnus jew xi pizijiet ohra u għalhekk jidher li hu liberu u frank hekk kif hemm miktub fl-inkartament.

Qisien generali (cirka)	<p>Il-fond għandu tul li jvarja ta' bejn circa 6.66m u 7.20m, u wisa' ta' circa 6.56m fuq il-faccata (Triq San Albertu).</p> <p>Arja fit-terran = 12.55m²</p> <p>Arja fit-tieni sular = 47.25m²</p> <p>Arja fit-tielet sular = 47.25m²</p> <p>Arja tal-bejt = 47.25m²</p>
----------------------------	---

(Dawn il-figuri kollha huma approssimativi u għal skop ta' valutazzjoni biss u generalment jirreferu għal kejл minn gewwa)

Il-hitan ta' din il-propjeta huma mibnija bil-gebel tal-franka, u soqfa u elementi strutturali ohra magħmulha minn konkrit rinfurzat. Minn spezzjoni vizwali l-kundizzjoni tal-istruttura tidher li ma hemmx hsarat ta' natura gravi jew li jehtieg attenzjoni immedjata.

Aperturi ta' barra jikkonsistu f'aluminium kulur bronz fil-faccata u abjad fuq wara, kif ukoll xi aperturi tal-hadid fuq il-faccata fit-tielet sular. Il-bieb principali tal-fond tal-injam mizbugħ abjad. Tarag tal-gebel mizbugħ u miksi b'wicc tal-muzajk mingħajr poggaman u għalhekk perikoluz. Faccata tal-bini mizmuma fuq il-gebel hlief madwar il-bieb principali u l-opramorta li huma miksija. Bibien ta' gewwa u xambrelli tal-injam, aluminium jew pvc. Madum tal-art tac-ceramika u granit vicin it-tarag. Kmamar sanitariji tac-ceramika. Servizzi jinkludu dawl, ilma u dranagg (testijet ma sarux). Kcejjen fitted li jidħru fkundizzjoni relativament tajba u armati bl-appliances. Ceiling fan f'wahda mill-kamamar tas-sodda. Air-conditioner fis-salott fit-tielet sular li gejt infurmat li ma jahdimx sewwa. Il-finituri jidħru f'kundizzjoni accettabli.

Wara li lkunsidrajt dawn il-punti kollha kif ukoll kwalunkwe fattur iehor li jista' jaffetwa il-valor ta' din il-propjeta', kif ukoll ic-cirkustanzi partikolari tas-suq, nistma din il-propjeta' hekk kif deskritta hawn fuq għas-somma ta':

Fond No. 138 = €355,000 [Tlett mijha u hamsa u hamsin elf Ewro]
L-ghamara (loose furniture) mhix inkluza f'din l-istima.

Prezz Globali = €355,000 [Tlett mijha u hamsa u hamsin elf Ewro]

Annalise Spiteri

Deputat Registratur

Illum

19 FEB 2020

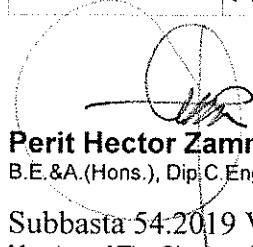
Qrati ta' Għustizza (Malta)

Ippreżżata mill- AIC (Hector Zammit)

B' dok wieħed (1)

B' Bla dok dokumenti

Page | 3


Perit Hector Zammit

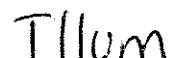
B.E.&A.(Hons.), Dip.C.Eng.(Glas), P.G.Dip.(Env.Mgt.), M.C.I.Arb., A.&C.E.

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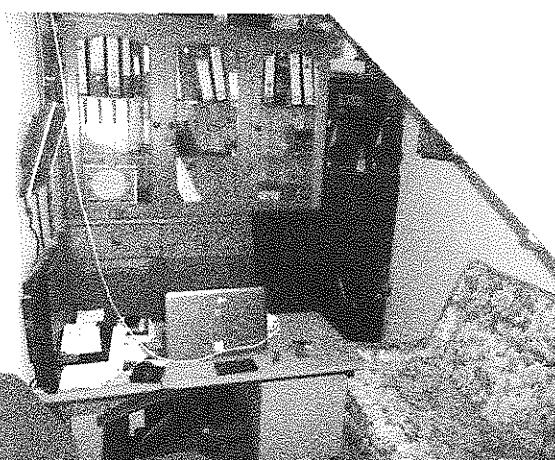

Illum



1: Il-Faccata tal-fond no. 138 Triq San Albertu, Gzira, muri bl-ahmar



2: L-intrata fil-livell terran (ground floor).



3: Study fil-livell terran (ground floor) taht it-tarag.

If-Tieni Sular (First Floor)



4: Kcina thares ghal fuq it-triq pubblika



5: Spare bedroom.bil-gallarja thares fuq it-triq pubblika.

Subbasta 54.2019 Valutazzjoni

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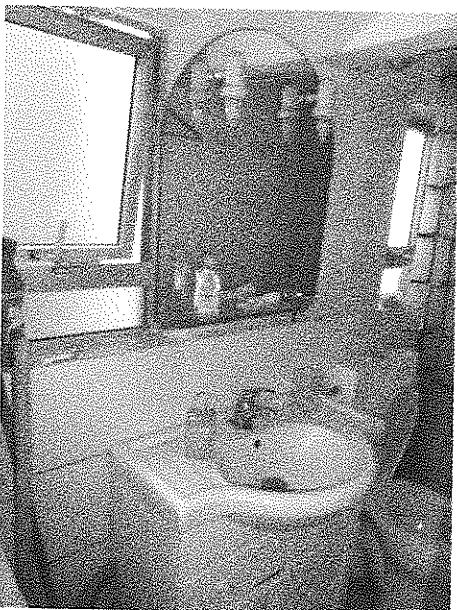
A handwritten signature in black ink, enclosed in a circle. The signature reads "Subbasta 54.2019 Valutazzjoni".



6: Kuritur b'access għall-kmamar ta' gewwa.



7: Kamra tas-sodda princiċi b'tieqa thares fuq bithha tan-nies fuq wara tal-post.

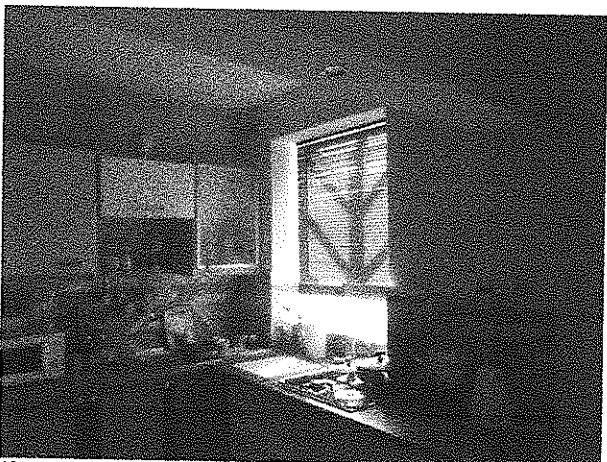


8: Kamra tal-banju bi twieqi jharsu fuq il-bithha ta' wara.



9: Indana tat-tarag mingħajr poggaman.

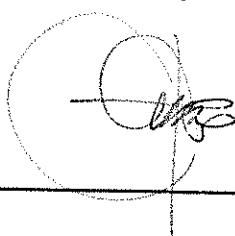
It-Tielet Sular (Second Floor)



10: Kċina thares fuq il-faccata.

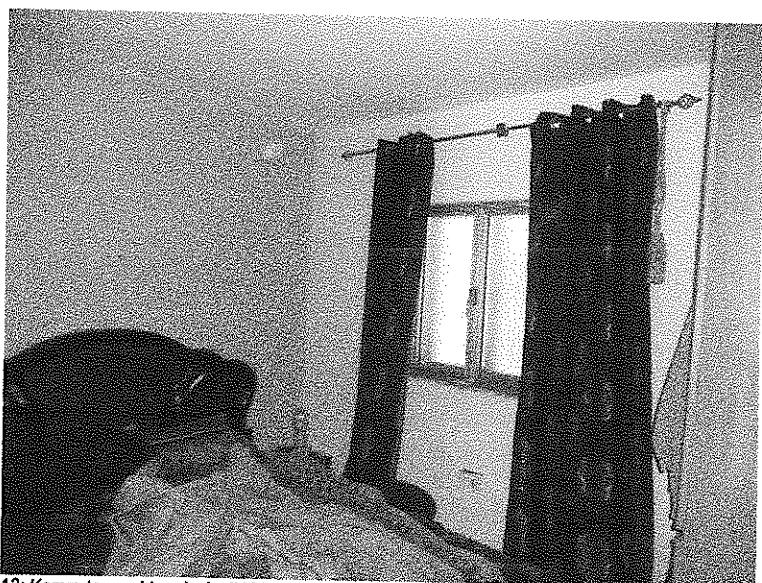


11: Salott / TV area b'tieqa għal fuq il-faccata.

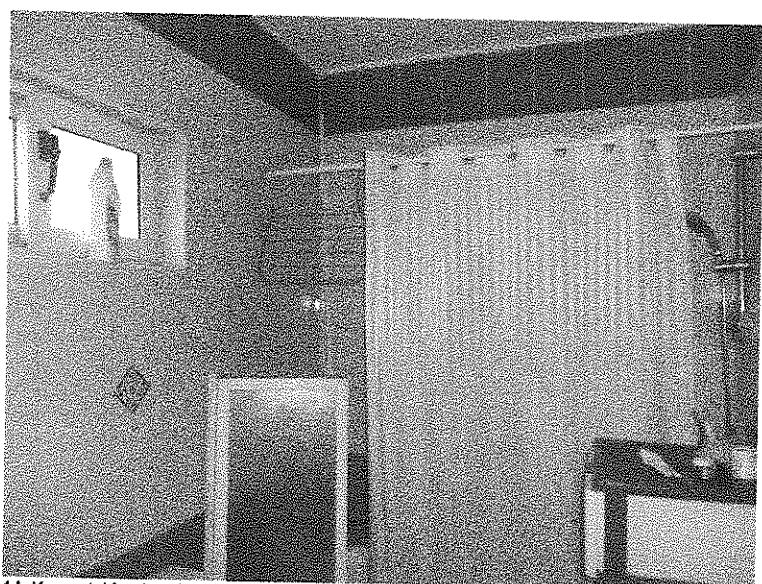




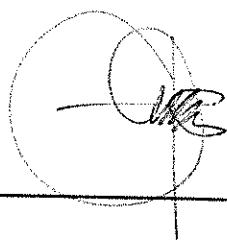
12: Kuritur u tarag.

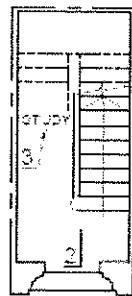


13: Kamra tas-sodda principali b'tieqa thares fuq bitha tan-nies fuq wara tal-post.

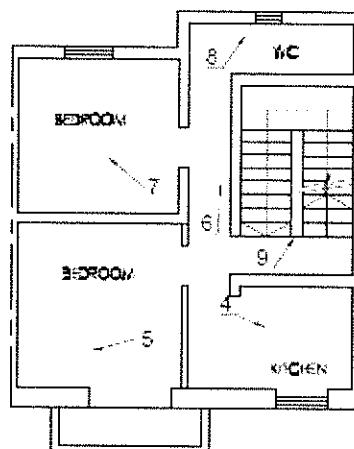


14: Kamra tal-banju b'tieqa thares fuq il-bitha ta' wara.

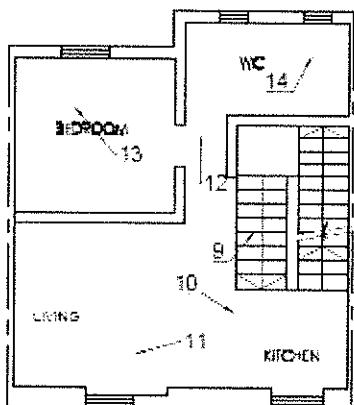




Ground Floor Plan
Scale 1:100

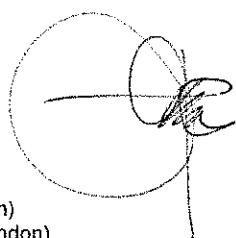


Existing First Floor Plan
Scale 1:100



Existing Second Floor Plan
Scale 1:100

Sketch of the layout indicating direction of photos. Not for interpretation purposes and not to scale.



PART III
EIGHTH SCHEDULE

Physical Attributes of Immovable Property

Locality	Gzira	Address	138, Triq San Albertu, Gzira
Total Footprint of Area Transferred *	47.25 sq.mt		

Tick where applicable
(Tick one box in each case except where indicated otherwise)

Type of Property	Villa Penthouse <input checked="" type="checkbox"/> Terraced House	Semi-Detached Mezzanine <input type="checkbox"/> Ground Floor Tenement	Bungalow Maisonette <input type="checkbox"/>	Flat/Apartment Farmhouse <input type="checkbox"/>
Age of Premises	<input type="checkbox"/> 0-20 years	<input checked="" type="checkbox"/> Over 20 years	<input type="checkbox"/> Pre WW2	
Surroundings	<input type="checkbox"/> Sea View	<input type="checkbox"/> Country View	<input checked="" type="checkbox"/> Urban	
Environment	<input type="checkbox"/> Quiet	<input checked="" type="checkbox"/> Traffic	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Industrial
State of Construction	<input type="checkbox"/> Shell	<input checked="" type="checkbox"/> Semi-finished **	<input type="checkbox"/> Finished ***	
Level of Finishes	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Adequate	<input type="checkbox"/> Poor	
Amenities	<input checked="" type="checkbox"/> With Garden <input checked="" type="checkbox"/> No Garage	<input type="checkbox"/> With Pool <input type="checkbox"/> One Car Garage	<input type="checkbox"/> With Lift <input type="checkbox"/> Two Car Garage	<input type="checkbox"/> With Basement <input type="checkbox"/> Multi Car Garage
Airspace	<input checked="" type="checkbox"/> Ownership of Roof	<input type="checkbox"/> No Ownership of Roof	<input type="checkbox"/> Shared Ownership	

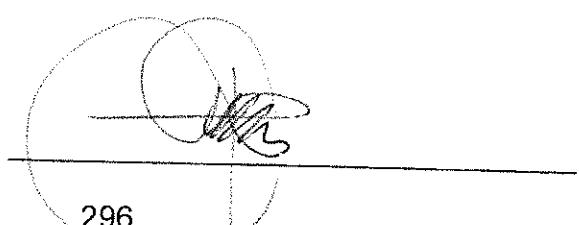
* Includes all lands and gardens but excludes additional floors, roofs and washrooms

** Includes plastering, electricity, plumbing and floor tiles

*** Includes ** plus bathrooms and apertures

Date: 17/02/2020

Perit's Signature:

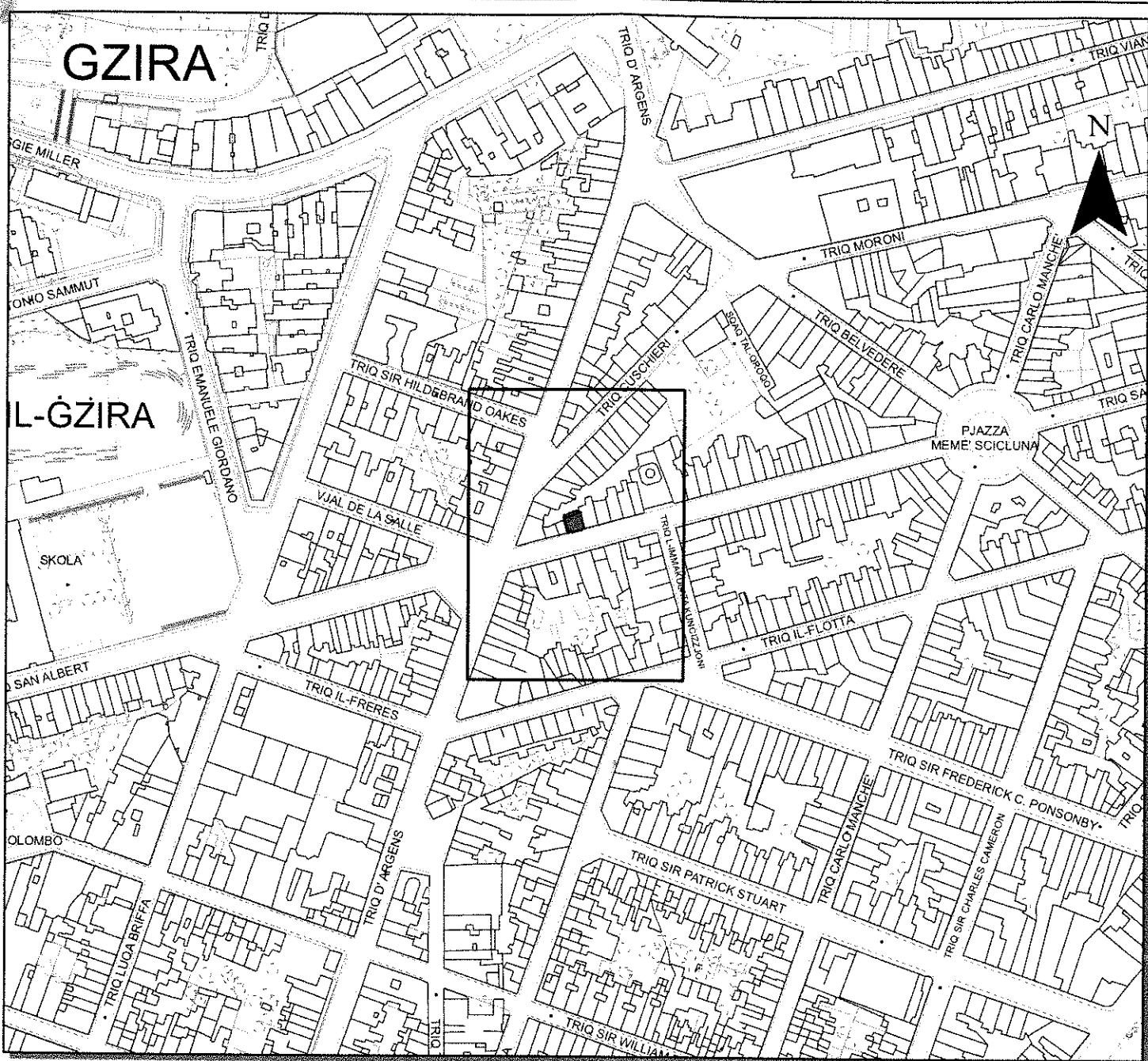
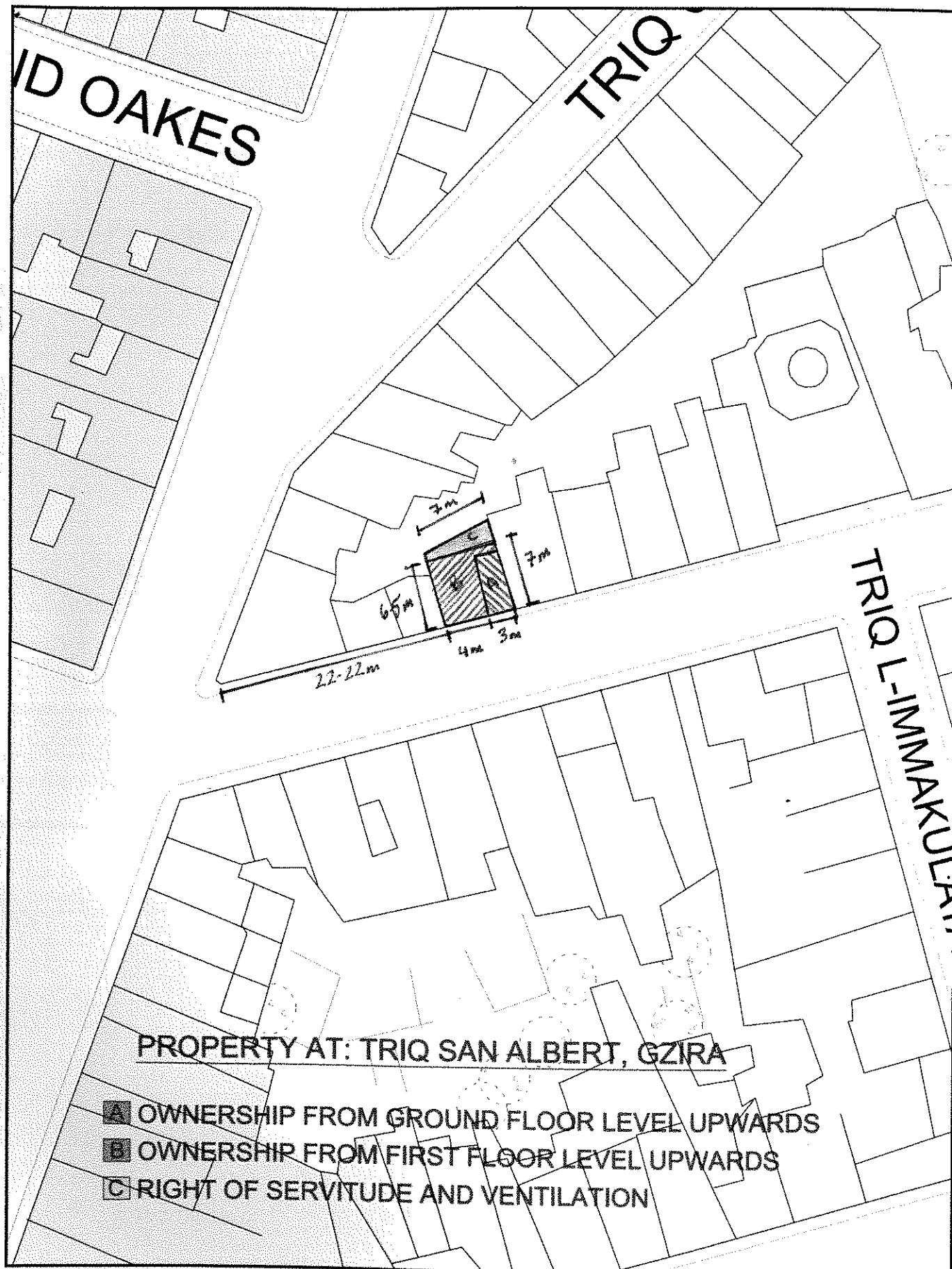


296

Warrant Number:

Rubber Stamp:

HECTOR ZAMMIT PERIT (warrant no. 296)
B.E & A (Hons.), Dip.C.Eng.(Glas), P.G.Dip.(Env.Mgt.), M.C.I.Arb., A.&C.E



Gvern ta' Malta

Registru ta' l-Artijiet

Casa Bolino, 116, Triq il-Punent, Valletta



Government of Malta

Land Registry

Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa:
Map Number:

148707 E

Pożizzjoni Ċentrali:
Centre Coordinates:

**x = 54418
y = 73987**

Parti min S.S.:
Extracted from S.S.:

5473

Data:
Date:

02/12/2019

Perit:

Architect:

Timbru tal-Perit:

Architect's Stamp:

HECTOR ZAMMIT PERIT

(warrant no. 296)
B.E.8A.(Hons.), Dip.C.Eng.(Glas), P.G.Dip.(Env.Mgr.), M.C.I.Arb., A.&C.E.

The Cornerstone, 224 Triq San Gillian, B'Kara BKR 2807 Malta
T & F: 2144 6777 M: 9949 9990 E: hectorzammit@gmail.com

Qies (metri kwadri):
Area (square metres):

**A = 14m²
B = 33.25m²**

Firma ta' l-Applicant:
Applicant's Signature:

LR 135906

Dritt imhallas
Fee Paid